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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,771	03/10/2004	Samantha J. Edirisooriya	42P18577	4166

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

RAY, GOPAL C

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/797,771

Applicant(s)

EDIRISOORIYA ET AL.

Examiner

Gopal C. Ray

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-11,13-15,17-21,23-26 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 3,8,12,16,22 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 1- 30 are presented for examination.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The examiner believes that the title of the invention is broad. A descriptive title indicative of the invention will help in proper indexing, classifying, searching, etc. See MPEP 606.01. However, the title of the invention should be limited to 500 characters.
3. The drawings filed on 3/10/04 are acceptable by the examiner for examination purposes. However, the Office of Initial Patent Examination (OIPE) reviews drawings initially for publication purposes. Direct any inquiries concerning drawing review for publication purposes to the Office of Initial Patent Examination (OIPE). See MPEP 507 for detail information.
4. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
5. Claims 8, 16, 22 and 27 are objected to because of variable "n" used in the claims. Applicant should define the range of variable "n" in each claim. Furthermore, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems.
6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
7. Claims 1, 2, 4-7, 9-11, 13-15, 17, 21, 23 and 26 are rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent 6,173,349 granted to Qureshi et al.

As per claim 1, the reference of Qureshi et al. teaches "detecting a bus arbitration event between at least a first bus agent and a second bus agent" in Fig. 3(a), element 300 and col. 3, lines 54-61; "granting concurrent bus ownership to the first bus agent and the second bus agent if the first bus agent and the second agent have different grant-to-valid latencies" in abstract, lines 8-13.

As per claim 2, the reference of Qureshi et al. teaches "detecting assertion of at least a first bus request signal and a second bus request signal during a single clock cycle" in col. 7, lines 4-7.

As per claim 4, the reference of Qureshi et al. teaches "wherein the first bus request signal and the second bus request signal are one of an address bus request signal and a data bus request signal" in col. 5, line 14-30.

As per claim 5, the reference of Qureshi et al. teaches the added limitation in Fig. 4, signal "GRANT" and col. 6, lines 55-58.

As per claim 6, the reference of Qureshi et al. teaches the added limitation in col. 4, lines 7-17.

As per claim 7, the reference of Qureshi et al. teaches "a round-robin arbitration scheme" in col. 3, 10-11.

As per claim 9, the added limitation of the claim is rejected for similar reasons as discussed in the rejection of claim 4.

As per claim 10, the reference of Qureshi et al. teaches "wherein the first bus agent and the second bus agent are symmetric bus agents" in Fig. 3(a), elements 320, 330 and 340.

As per claim 11, the claim recites a bus arbiter. However, the limitations are parallel to method claim 1. Furthermore, the reference of Qureshi et al. teaches "a bus arbiter" in Fig. 3(a), element 310. Therefore, in teaching the construction and use of the

device, US Patent 6,173,349 granted to Qureshi et al. teaches a corresponding bus arbiter.

As per claims 13-15 and 17, the added limitations of the claims are rejected for the same reasons as discussed in the rejection of claims 2, 4, 5 and 9 respectively.

As per claim 21, the claim recites a system. However, the limitations are parallel to method claim 1 with the exception of a "bus" and a "chipset". However, the reference of Qureshi et al. teaches a "bus" in Fig. 3(a), element 390 and a "chipset" in Fig. 3(b), element 310 and col. 5, lines 9-14. Therefore, in teaching the construction and use of the device, US Patent 6,173,349 granted to Qureshi et al. teaches a corresponding apparatus.

As per claim 23, the reference of Qureshi et al. teaches "wherein the bus is an on-chip, pipelined shared bus" in col. 5, lines 10-17.

As per claim 26, the claim recites an article. However, the limitations are parallel to method claim 1 with the exception of a "machine readable carrier medium carrying data to perform the steps of method claim 1. However, the reference of Qureshi et al. teaches the above feature in Fig. 7, element 714. Therefore, in teaching the construction and use of the device, US Patent 6,173,349 granted to Qureshi et al. teaches a corresponding article.

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2111

7. Claims 18-20, 24, 25 and 28-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 6,173,349 granted to Qureshi et al. in view of common knowledge in the data processing art.

As per claims 18-20, the claims are rejected for the same reasons as discussed in the rejection of claim 11 with the exception of the limitations that bus arbiter can be "an input/output (I/O) controller" (claim 18), "a memory controller" (claim 19) and (a system controller" (claim 20). The examiner takes official notice that the above claimed features are well known to one of ordinary skill in the data processing art at the time of the invention. These are various straightforward possibilities from which one of ordinary skill in the data processing art at the time of the invention would select one or the other in accordance with circumstances without exercising inventive skill. Therefore, it would have been obvious to one of ordinary skill in the data processing art at the time the invention was made to modify the system of Qureshi et al. to implement the above features to obtain the claimed invention because that would allow the system of Qureshi et al. to be compatible with a widely used standard and to allow the system to take advantage of the many benefits provided by different types of arbiters.

As per claims 24 and 25, the added limitations of the claims are rejected for the same reasons as discussed in the rejection of claims 18 and 20 respectively.

As per claims 28-30, the added limitations of the claims are rejected for the same reasons as discussed in the rejection of claims 18-20 respectively.

8. Dependent claims 3, 8, 12, 16, 22 and 27 are objected to as being dependent upon a rejected on art base claim, but would be allowable if rewritten in independent

form including all of the limitations of the base claim and any intervening claims. For claims 8, 16, 22 and 27, also amend the claims to overcome the objection set forth in paragraph 5 above.

The following is an Examiner's Statement of Reasons for Allowance:

The claimed invention is directed to "a method and apparatus for bus arbitration". The examiner has done complete search and found no prior art of record, alone or in combination, teaches or fairly suggests, "comparing the first grant-to-valid latency to the second grant-to-valid latency to determine whether the first grant-to-valid latency is equal to the second grant-to-valid" in combination with other claimed elements as claimed in dependent claim 3. Similarly, each dependent claim 8, 12, 16, 22 and 27 has at least one additional feature which prior art of record, alone or in combination does not teach or fairly suggest.

Any comments considered necessary by applicant must be submitted in response to this office action to avoid processing delays. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is urged to consider the references. However, the references should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure.

If applicants are aware of any prior art better than those are of record, they are required to bring the prior art to the attention of the examiner. Applicants are also reminded that each individual associated with the filing and prosecution of a patent

Art Unit: 2111

application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in 37 CFR 1.56. Applicants are advised to submit any information material to patentability in accordance with 37 CFR 1.97 and 1.98.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (571) 272-3631. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (571) 272-3632. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**mark.rinehart@uspto.gov**].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC central telephone number is (571) 272-2100. Moreover, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lastly, paper copies of cited U.S. Patents and Patent Application Publications ceased to be mailed to applicants with office actions as of June 2004. Paper copies of Foreign Patents and Non-Patent Literature will continue to be included with office actions. These cited U.S. Patents and Patent Application Publications are available for download via Office's PAIR. As an alternate source, all U.S. Patents and Patent Application Publications are available on the USPTO web site (www.uspto.gov), from the office of Public Records and from commercial sources. Applicants are referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197 for information on this policy. Requests to restart a period for response due to a missing U.S. Patent or Patent Application Publications will not be granted.

Gopal C. Ray
GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2300